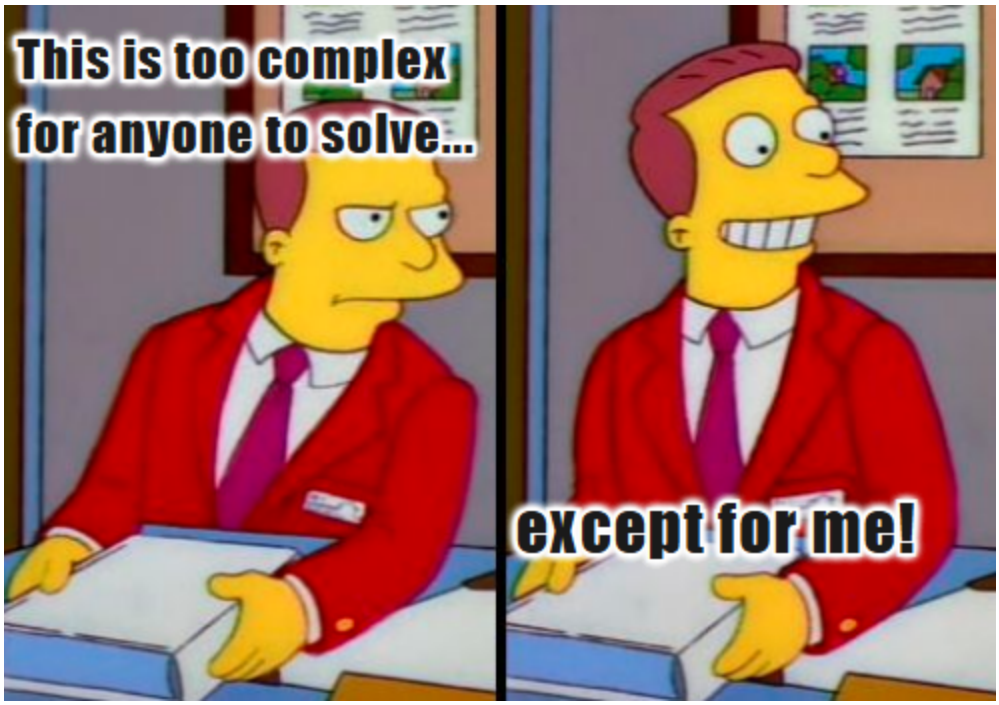
CANUCK LAW
Reporting That You're Not Getting Elsewhere (Do Your Own Research To Verify)

APRIL 5, 2025 BY RONNIE

A Beginner’s Guide To Finding A Lawyer (If You Must)



Characters such as Lionel Hutz may be a meme at this point, but they are certainly based on reality.

To clarify, lawyers aren’t hard to find. They’re everywhere. But what does matter is finding a good quality one who will actually protect your interests, and not bankrupt you. Alternatively, if you don’t need one, then it’s nice to know before wasting huge amounts of time and money.

Note: everything presented here is just for the purpose of INFORMATION, and not advice. As always, take everything with a grain of salt and research on your own. This is just a mix of opinion, common sense, and experience thrown in.

If it's someone close to you, there may be a high level of trust already. Still, questions should be asked ahead of time, to avoid things getting complicated.

Another disclaimer should also be included. If you have nearly unlimited amounts of money, or are covered by insurance, it may not seem to be a big deal. Still, it's wise to put effort into what can be a major financial or life altering decision.

1. Avoid Getting Into Such Situations In The First Place

There's the old expression that "an ounce of prevention is better than a pound of a cure". Certainly, there's logic to that. It's (usually) better to avoid problems rather than have to fix them later. Ask whether or not this headache is even worthwhile.

2. Alternative Dispute Resolution Options

A problem doesn't always have to result in going to court. Other options such as mediation (voluntary) and arbitration (binding) are now much more common. True, lawyers are often involved, but they don't have to be.

3. Self-Representing May Be An Option

A lot has changed in recent years. In the internet era, information is more accessible than ever before. Court forms are readily available to download. Electronic filing (largely) makes physical visits unnecessary, and hearings routinely take place virtually. Search sites such as CanLII allow anyone to look up relevant and related decisions.

Although clerks are prohibited from giving advice, they're often very helpful in ensuring that the correct paperwork is submitted. Asking is for free.

If you're aware of a resolved case with related issues, consider ordering (purchase, if needed) some of the filings. Getting ahold of the written arguments will be helpful in understanding what points keep coming up. And if need be, perhaps they can be incorporated into your case.

Also consider if you are self-representing, while the other side is not. This means they'll be paying lawyer fees every step of the way, racking up expenses. In the long term, it can lead to attrition.

4. Low Cost Representation (i.e. Paralegals) May Be Available

This varies by Province, but lawyers are not always the only game in town. For example, Ontario and B.C. allow paralegals to take *some* types of cases that used to be more restricted. They charge a fraction of the cost, and can provide the same service. For less urgent matters, it's worth considering.

Rates vary, but it may be only 10% to 30% of what a lawyer would bill.

An astute observer will realize that everything listed so far has focused on AVOIDING the use of a lawyer. This is not accidental. Circumstances vary, of course. However, sometimes the easiest and cheapest path forward doesn't involve them.

5. Seeking Free (Or Low Cost) Consultations

Depending on what the situation is, the lawyer may recommend, or at least suggest options #2 to #4. This can actually be a good sign. If the person talks about ways to resolve your problem quickly and cheaply, it's a clue that they may have your best interests in mind.

With this is mind, it might be better to pay a few hundred dollars for a serious talk. Ask about this type of case, common pathways, documents filed, issues raised at trial, etc.…

But if you do end up hiring a lawyer to take your case, there's much more to do. The more you can learn about this type of law ahead of time, the less likely a prospective hire will try to screw with you.

6. Conduct Background Check On Prospective Contractor

Think for a moment that you are an employer. You're looking to hire an employee, or perhaps an independent contractor. If the job is serious, or involves a lot of money, then it would certainly be worth the effort to screen them.

Here are a few things to consider before handing over large amounts of money:

(A) Verify who they are: This should go without saying, but make sure the people representing themselves as lawyers are in fact who they claim to be. Checking their Law Society will be helpful. There may not be a photo, but check to see that the name and contact information match up, and that the licence is active.

(B) Search for history of bad conduct: While the respective Law Societies are notoriously bad for holding lawyers accountable, it's still worth a look. Have they ever been reprimanded or suspended? Are there any active complaints? And do an online search of their name. Have they been involved in anything shady?

(C) Credit check the prospective contractor: This doesn't mean contacting Transunion or Equifax. In this context, look at the office. Is it extravagantly furnished, or more practical? If the office (or building) appears to be very expensive, then they may promise anything in order to secure more clients. Likewise, seeing luxury cars may be a sign or debt, or overbilling.

(D) Check their portfolio: In this context, research earlier decisions made involving this lawyer. What kind of results are they getting? While it's true that cases are typically settled, any lawyer who's been around for a while will have at least some kind of history on CanLII. Look into it. Also, if you know of any (related) cases they've been involved with, ask the court for documents, and see what they file.

(E) Reference check for prospective contractor: This can be tricky, since many people aren't sure what to look for. Is there a trustworthy friend or family member who has used this person with good results? Has anyone been burned by them? While general reputation *may* matter, finding someone who has dealt with this specific person adds context.

(F) Interview the prospective contractor: That initial meeting isn't just about whether the lawyer will take your case. It's also about whether you believe they are suitable to work on

your problem. The best way to do this is ro prepare ahead of time. Have some idea who this lawyer is, they work they do, and what kind of litigation they focus on?

Here's something that anyone who has ever held a managerial role, and hired people, will tell you. A person may present in a very appealing way initially, in order to get hired, but then change afterwards. In other words, they were just putting on an act. Your prospective counsel may be doing the same thing.

Fees may be: (a) hourly; (b) contingency; (c) flat rate; or (d) some combination thereof. It's always important to get it in writing. If the lawyer refuses to put it in writing, walk away immediately.

All of this may sound excessive. And for cases involving low amounts of money, or other consequences, it is. But if your case involves hundreds of thousands — or millions — then it's worth putting the effort in to screen out potential disasters.

7. The Critical Question: "Have You Done This Before"?

This one question had interesting results on a personal level.

Lawyers will often "sell" their abilities to handle a certain area of law. They'll tell you that the subject is very complex, and that they can help get you through. The usual pitch is that this is too much for the typical person to deal with, but without getting into specifics.

Then, ask the lawyer: "Have you ever done this before?"

This has actually led to admissions that it would be a first time. Retaining such a lawyer would amount to paying them *to learn* how to do such a thing. Maybe it's preferable for some or most people. But why not save the money and teach yourself?

Now, should the lawyer say yes, it's good to follow up with requesting if the result is available on CanLII, or some other site. If there's hesitation or unease about this, it's a likely sign that you've caught out a grifter lying about their abilities.

Here's the TL, DR (too long, didn't read) summary. Depending on the circumstances, it may be worthwhile to avoid lawyers altogether. Many people are capable of learning things

themselves. But if you must hire one, view it the way you would hiring an employee or contractor.

***SOLUTIONS*, MISCELLANEOUS**

3 Replies to “A Beginner’s Guide To Finding A Lawyer (If You Must)”

Moose

APRIL 5, 2025 AT 1:32 PM

In the US (and likely in Canada too) there is also something called an “attorney in Fact” (as opposed to an attorney in Law”) who is not a lawyer but an informed and capable person who can be given limited power of attorney to speak on behalf of someone….

Dane

APRIL 5, 2025 AT 1:56 PM

Good, practical, thoughtful article. Thanks!

Grace Joubarne

APRIL 5, 2025 AT 2:36 PM

Word of advice: always, always, always record every conversation with any legal representative. And no, don’t ask their permission.

Also, note that where they suggest that they have ‘practice insurance’ and this is a good thing for the client, it is not. Practice insurance means that while you are paying out-of-pocket to recover money they stole, or improperly billed you for, or if they miss the limitation period, etc, they get FREE legal representation to fight you off.

I know from experience, that when trying to recover the fees I paid to a legal crook in Ottawa because he missed 2 limitation periods, LawPro, his ‘insurer’ fought me all the way. I am certain

it cost them $50,000 or more and all I was seeking was about $10,000 for one claim and $8,000 for the other. I wasn’t seeking damages, just a return of my money.

You have no idea how ruthless and immoral LawPro is when it comes to protecting the worst of lawyers. LawPro is owned by the other half of this corrupt team protecting lawyers, the Law Society of Ontario.